August 29, 1995

#### POST OFFICE BOX 1429

PALATKA, FLORIDA 32178-1429

TELEPHONE 904/329-4500 TDD 904/329-4450

SUNCOM 904/860-4500

TDD SUNCOM 860-4450 FAX (EXECUTIVE/LEGAL) 329-4125 (PERMITTING) 329-4315 (ADMINISTRATION/FINANCE) 329-4508

NOITATE CLEIT

618 E. South Street Orlando, Florida 32801 407/897-4300 100 407/897-5960

7775 Baymeadows Way Suite 102 Jacksonville, Florida 32256 904/730-6270 IDD 904/730-7900

PERMITTING: 305 East Orive Melboume, Florida 32904 407/984-4940 IDD 407/722-5366

OPERATIONS: 2133 N. Wickham Road Melbourne, Florida 32935-8109 407/254-1762 TDD 407/253-1203

Ms. Suzanne Traub-Metlay Florida State Clearinghouse Executive Office of the Governor - OPB Room 1603, The Capitol Tallahassee, FL 32399-0001

Re:

SAI #: FL9508100837C

Name of Project: Long-Range Dredged Material Management Plan for the Intracoastal

Waterway (Northeast Florida) - Public Notice - St. Johns County, Florida

Dear Ms. Traub-Metlay:

The staff of the St. Johns River Water Management District has reviewed the above referenced plan and offers the following comments regarding impacts to water and related natural resources.

It appears that the proposed project will require a Management and Storage of Surface Waters (MSSW) Permit. The permit is based on St. Johns River Water Management District rules, but under the current Delegation Agreement would be processed by the Florida Department of Environmental Protection (DEP). After October 3, 1995, this permit will be known as an Environmental Resource Permit (ERP), and would also be processed by the DEP.

District staff would appreciate being notified of, and involved in future projects at the siteidentification stage. All projects should minimize wetland impacts to the greatest extent possible. District staff involved with the Upper Coastal Basin would like to be included, if possible, in the development of a mitigation plan for the two projects. If there is a management plan for the containment areas during the 20 years between dredging events, District staff would like to receive a copy.

Finally, the District should be included on the list of agencies to which notices of these types of projects are sent. The list of State Agencies should be corrected to reflect the merger of the Departments of Natural Resources and Environmental Regulation into the DEP.

This letter does not constitute or substitute for a permit review. Permit reviews require more specific information.

Kathy Chinoy

JACKSONVILLE

If you have any questions or if I can be of further assistance, please contact me at (904) 329-4374.

Sincerely,

Margaret Spontak, Director

Division of Policy and Planning

MS/REG/ch

c: P. Haydt

D. Miracle



#### FLORIDA DEPARTMENT OF STATE Sandra B. Mortham Secretary of State

DIVISION OF HISTORICAL RESOURCES R.A. Gray Building 500 South Bronough-Street Tallahassee, Florida 32399-0250

Director's Office (904) 488-1480 Telecopier Number (FAX) (904) 488-3353 AUG 29 1995

Florida Coastal Management Program

August 23, 1995

Ms. Suzanne Traub-Metlay State Clearinghouse Executive Office of the Governor Room 1603, The Capitol Tallahassee, Florida 32399-0001 In Reply Refer To: Frank J. Keel Historic Sites Specialist (904) 487-2333 Project File No. 952895

RE: Cultural Resource Assessment Request SAI# FL9508100837C

Construction of Disposal Area DU-9

St. Johns County, Florida

Dear Ms. Traub-Metlay:

In accordance with the provisions of Florida's Coastal Zone Management Act and Chapter 267, Florida Statutes, as well as the procedures contained in 36 C.F.R., Part 800 ("Protection of Historic Properties"), we have reviewed the referenced project(s) for possible impact to historic properties listed, or eligible for listing, in the National Register of Historic Places, or otherwise of historical or architectural value.

A review of the Florida Site File indicates that no significant archaeological or historical sites are recorded for or likely to be present within the project area. Furthermore, because of the project location and/or nature it is unlikely that any such sites will be affected. Therefore, it is the opinion of this office that the proposed project will have no effect on historic properties listed, or eligible for listing, in the *National Register of Historic Places*, or otherwise of historical or architectural value. The project is also consistent with the historic preservation laws of Florida's Coastal Management Program.

Ms. Traub-Metlay August 23, 1995 Page 2

If you have any questions concerning our comments, please do not hesitate to contact us. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,

George W. Percy, Director Division of Historical Resources

Laura a. Kammerer

1-4-

State Historic Preservation Officer

xc: Jasmin Raffington, FCMP-DCA

01	INITY	St	Johns	

PLEASE RUSH!

August 29, 1995

Date:

DATE: CLEARANCE DUE DATE: 08/30/95
SAI#: FI 95094000

08/16/95

FL9508100837C

STATE AGENCIES	LOCAL/OTHER	OPB POLICY UNITS
	St. Johns River WMD	Environmental Policy/C & ED
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Federal Assistance to State or Loca	al Government (15 CFR 930, Subpart F).	for the Intracoastal Waterway (Northeast Florida - Public Notice St. Johns County, Florida
Agencies are required to evaluate to	he consistency of the activity.	- Public Notice St. Solitis County, Florida
Direct Federal Activity (15 CFR 930,	Subpart C). Federal Agencies are	
required to furnish a consistency d	etermination for the State's	
concurrence or objection.		
Outer Continental Shelf Exploration	n, Development or Production	1,1
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R CONSISTENCY PROJECTS.	SEE REVERSE SIDE FOR INSTRUC	TIONS.
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To: State Clearinghouse  Executive Office of the Govern	•	•
Room 1603, The Capitol		
Tallahassee, FL 32399-0001	☐ No Comment	☐ No Comment/Consistent
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Florida Coastal Managemen	it Program —	Not Applicable
Department of Community Aff	airs	T Mot Uhblicapie
Suite 305, Rhyne Building		
2740 Centerview Drive	•	
Tallahassee, FL 32399-2100		
(904) 922-5438 (SC 292-54	38)	•
From:		
	sion of Policy and Planning	
	Ports	
Reviewer. Marg	aret H. Spontak, Director	

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),	EASE KUSH/ CI	DATE: COMMENT DUE DATE:	08/16/95 08/23/95
OUNTY: St. Johns	CI.	EARANCE DUE DATE: SAI#:	08/30/95 FL9508100837
STATE AGENCIES	LOCAL/OTHER	OPB POLI	CY UNITS
community Affairs Invironmental Protection Same and Fresh Water Fish Comm Marine Fisheries Commission State Transportation	St. Johns River WMD  AUG 23 1995	Environmental Policy	C & ED
RECEIVED  AUG 1 6 1995  MARINE FISHERIES COMMISSION	Florida Coastal Management Program		
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	38) MARINE FISHERIES COMMISSION	V	- 4
From: Division/Bureau:	2540 EXECUTIVE CENTER CIRCL SUITE 106	•	
Reviewer:	TALLAHASSEE, FLORIDA 32301	·	
Data:			

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# UNITED STATES DEPARTMENT OF COMMERCE National Oceanic and Atmospheric Administration NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office 9721 Executive Center Drive North St. Petersburg, Florida 33702

August 7, 1995

Colonel Terry Rice District Engineer, Jacksonville District Department of the Army, Corps of Engineers Construction-Operation Division P.O. Box 4970 Jacksonville, Florida 32232-0019

Dear Colonel Rice:

The National Marine Fisheries Service has reviewed public notices number PN-SPH-203 and number PN-SPH-204 dated July 13, 1995, regarding the Corps of Engineers efforts with the Florida Inland Navigation District to develop sites suitable for placement of material dredged from the Intracoastal Waterway (IWW). Three sites in Duval and St. Johns Counties are identified in the Long-Range Dredged Material Management Plan for the IWW in Northeast Florida and are addressed in these public notices.

We have not been on-site, but according to the public notices, the three sites will only involve isolated wetlands. With this understanding, we anticipate that any adverse effects that might occur on marine and anadromous fishery resources would be minimal. Therefore, we do not object to the use of these sites for the placement of dredged material.

If you have any questions, please contact Mr. Mark Thompson of our Panama City Branch Office at 904/234-5061.

Sincerely,

Andreas Mager, Jr.

Edwin Kappua

Assistant Regional Director Habitat Conservation Division

cc: F/SEO2



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MEMORANDUM OF CALL	Previous editions usable
10: Don	rol
YOU WERE CALLED BY-	YOU WERE VISITED BY—
OF (Organization)	
DPLEASE PHONE   (Entitle 1)  (A)  (A)	er area code, necessary) 1340 syl. 375
WILL CALL AGAIN	IS WAITING TO SEE YOU
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#### FLORIDA DEPARTMENT OF STATE

Sandra B. Mortham Secretary of State

DIVISION OF HISTORICAL RESOURCES R.A. Gray Building

500 South Bronough Street Tallahassee, Florida 32399-0250

October 9, 1995

Director's Office (904) 488-1480 Telecopier Number (FAX) (904) 488-3353

Mr. Agirlamo DiChiara Construction-Operations Division Department of the Army Jacksonville District Corps of Engineers P. O. Box 4970 Jacksonville, Florida 32232-0019 In Reply Refer To: Robin D. Jackson Historic Sites Specialist (904) 487-2333 Project File No. 952642

RE:

Cultural Resource Assessment Request Public Notice Number PN-SPH-203 St. Johns County, Florida

Dear Mr. DiChiara:

In accordance with the procedures contained in 36 C.F.R., Part 800 ("Protection of Historic Properties"), we have reviewed the referenced project(s) for possible impact to historic properties listed, or eligible for listing, in the <u>National Register of Historic Places</u>. The authority for this procedure is the National Historic Preservation Act of 1966 (Public Law 89-665), as amended.

A review of the Florida Site File indicates that no significant archaeological or historical sites are recorded for or likely to be present within the project area. Furthermore, because of the project location and/or nature it is unlikely that any such sites will be affected. Therefore, it is the opinion of this office that the proposed project will have no effect on historic properties listed, or eligible for listing, in the National Register of Historic Places.

If you have any questions concerning our comments, please do not hesitate to contact us. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,

George W. Percy, Director Division of Historical Resources

and

State Historic Preservation Officer

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#### December 13, 1995

Planning Division Environmental Branch

Mr. William Harb U.S. Department of Agriculture Soil Conservation Service 111 Yelvington Road, Suite 4 East Palatka, Florida 32131

Dear Mr. Harb:

Enclosed is the Farmland Conversion Impact Rating form with Parts I and III completed. In accordance with the form instructions, this form is being forwarded to your office for farmland determinations.

If you have any questions concerning this request, please do not hesitate to contact Mr. Bill Fonferek at 904-232-2803.

Sincerely,

A. J. Salem Chief, Planning Division

Enclosures

bcc: CESAJ-DP CESAJ-CO

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U.S. Department of Agriculture

# FARMLAND CONVERSION IMPACT RATING

				- On		
			te Of Land Evaluation Request ECEMBER 12, 1995			
Name Of Project IWW-DU 9 ALT-2 PABLO CREEK		Federa 11 S	ARMY COR	d PS OF ENGI	NEERS	
Proposed Land Lies County			y And State			
DREDGED MATERIAL MANAGEMENT AREA ST.			JOHNS COU	NTY FLORI	DA	
PART II (To be completed by SCS)			Request Received			· · · · · · · · · · · · · · · · · · ·
Does the site contain prime, unique statewide of	r local important	farmland?	Yes N		d Average Farn	n Size
(If no, the FPPA does not apply - do not comp	lete additional par	rts of this fol	$m$ ). $\Box$ $\lambda$	XX		· · · · · · · · · · · · · · · · · · ·
Major Crop(s)	Farmable Land In	n Govt, Jurisdi	ction	Amount Of F	armland As Defi	
	Acres:			Acres:		<b>%</b>
Name Of Land Evaluation System Used	Name Of Local S	ite Assessment	System	化硫酸钠 医电流电流	valuation Returne	ed By SCS
					O	
PART III (To be completed by Federal Agency)			Site A	Alternative Site B	Site Hating Site C	Site D
A. Total Acres To Be Converted Directly			11.56			
B. Total Acres To Be Converted Indirectly			0.0			
C. Total Acres In Site			180.0			
PART IV (To be completed by SCS) Land Evalua	tion Information	×		7.1 (18) (18) (18) (18) (18) (18) (18) (18	<i>\</i>	
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	t Farmland					
	Gout Unit To Rea	Converted				
	th Same Or Higher B	elative Value	de Service		7 3.5	. jeloka.
PART V (To be completed by SCS). Land Evaluate	ion Criterion			·		
Relative Value Of Farmland To Be Conver	ted (Scale of 0 to 1	100 Points)				
PA VI (To be completed by Federal Agency) Site Assessment Criteria (These criteria are explained in 7	CFR 658.5(b)	Maximum Points				
1. Area In Nonurban Use		· · · · · · · · · · · · · · · · · · ·				
2. Perimeter In Nonurban Use						
3. Percent Of Site Being Farmed						
4. Protection Provided By State And Local G	overnment					1.0
5. Distance From Urban Builtup Area						
6. Distance To Urban Support Services						
7. Size Of Present Farm Unit Compared To A	verage					
8. Creation Of Nonfarmable Farmland				<u> </u>	<u></u>	
9. Availability Of Farm Support Services						
10. On-Farm Investments						
11. Effects Of Conversion On Farm Support S	ervices					ļ
12. Compatibility With Existing Agricultural L						
TOTAL SITE ASSESSMENT POINTS	,	160				
PART VII (To be completed by Federal Agency)						
Relative Value Of Farmland (From Part V)		100				
Total Site Assessment (From Part VI above or site assessment)	a local	160				
TOTAL POINTS (Total of above 2 lines)		260				
Site Selected:	Date Of Selection				te Assessment Us	ed? No 🗆

Reason For Selection:

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# APPENDIX VI

COASTAL ZONE CONSISTENCY DETERMINATION

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# FLORIDA COASTAL ZONE MANAGEMENT PROGRAM FEDERAL CONSISTENCY EVALUATION PROCEDURES

### 1. Chapter 161, Beach and Shore Preservation

The intent of the coastal construction permit program established by this chapter is to regulate construction projects which are located seaward of the line of mean high water and which might have an effect on natural shoreline processes.

Response: The proposed work would not be seaward of the mean high water line and would not affect shorelines or shoreline processes. Information would be submitted to the state for a permit in compliance with this chapter.

#### 2. Chapters 186 and 187, State and Regional Planning

These chapters establish the State Comprehensive Plan which sets goals that articulate a strategic vision of the state's future. The plan's purpose is to define, in a broad sense, goals and policies that provide decision-makers directions for the future and provide long-range guidance for an orderly social, economic, and physical growth.

Response: The proposed work has been coordinated with state agencies through a series of meetings during preparation of the long-range dredged material management plan for St. Johns County.

### 3. Chapter 252, Disaster Preparation, Response and Mitigation

This chapter creates a state emergency management agency, with the authority to provide for the common defense; to protect the public peace, health and safety; and to preserve the lives and property of the people of Florida.

Response: The construction of the dredged material management facility would allow continued maintenance dredging in the IWW, thus ensuring a navigable waterway which could be used in emergency situations. Therefore, this work would be consistent with the efforts of the Division of Emergency Management.

## 4. Chapter 253, State Lands

This chapter governs the management of submerged state lands and resources within state lands. This includes archeological and historical resources; water resources; fish and wildlife resources; beaches and dunes; submerged grass beds and other benthic communities; swamps, marshes, and other wetlands; mineral resources; unique natural features; submerged lands; spoil islands; and artificial reefs.

Response: The proposed work would not affect state lands. No known archaeological or historical resources would be affected by the construction of DU-9. The containment basin configuration would minimize impact to isolated wetlands. Impacts on wetlands would be mitigated by the construction of wetlands in the buffer zone.

### 5. Chapters 253, 259, 260, and 375, Land Acquisition

These chapters authorize the state to acquire land for a variety of purposes, including conservation and protection of environmentally sensitive areas and to provide parks and recreation areas, a recreational trails system, and outdoor recreation and conservation areas.

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Response: The project area is not being considered for acquisition under the above chapters.

# 6. Chapter 258, State Parks and Aquatic Preserves

This chapter authorizes the state to manage state parks and aquatic preserves.

Response: The proposed work would not affect any parks or preserves and would, therefore, be consistent with this chapter.

#### 7. Chapter 267, Historic Preservation

This chapter establishes the procedures for implementing the Florida Historic Resources Act responsibilities.

Response: The State Division of Historic Resources has been contacted about this project. No known archaeological or historical resources are present on the site.

## 8. Chapter 288, Economic Development and Tourism

This chapter directs the state to provide guidance and promotion of beneficial development through encouraging economic diversification and promoting tourism.

Response: The creation of dredged material management facilities provides for maintenance dredging of the IWW channel. The IWW encourages recreational development and tourism. Therefore, the project would be consistent with the goals of this chapter.

# 9. Chapters 334 and 339, Public Transportation

This chapter authorizes the planning and development of a safe, balanced, and efficient transportation system.

Response: Maintenance dredging of the IWW channel would be facilitated by this project, promoting public navigation and intermodal transportation.

# 10. Chapter 370, Saltwater Living Resources

This chapter directs the state to preserve, manage, and protect the marine, crustacean, shell, and anadromous fishery resources in state waters; to protect and enhance the marine and estuarine environment; to regulate fishermen and vessels of the state engaged in the taking of such resources within or without state waters; to issue licenses for the taking and processing products of fisheries; to secure and maintain statistical records of the catch of each such species; and to conduct scientific and economic studies and research.

Response: The construction of the dredged material management facility would not adversely affect saltwater living resources.

# 11. Chapter 372, Living Land and Freshwater Resources

This chapter establishes the Game and Freshwater Fish Commission and directs it to manage freshwater aquatic life and wild animal life and their habitat to perpetuate a diversity of species with densities and distributions which provide sustained ecological, recreational, scientific, educational, aesthetic, and economic benefits.

Response: Construction of DU-9 would impact no significant living land or freshwater resources. Therefore, the work will comply with the goals of this chapter.

#### 12. Chapter 373, Water Resources

This chapter provides the authority to regulate the withdrawal, diversion, storage, and consumption of water.

Response: The proposed work does not involve water resources as described by this chapter.

# 13. Chapter 376, Pollutant Spill Prevention and Control

This chapter regulates the transfer, storage, and transportation of pollutants and the cleanup of pollutant discharges.

Response: The proposed work does not involve the transportation or discharging of pollutants.

# 14. Chapter 377, Oil and Gas Exploration and Production

This chapter authorizes the regulation of all phases of exploration, drilling, and production of oil, gas, and other petroleum products.

Response: The proposed work does not involve the exploration, drilling, and production of oil, gas, and other petroleum products.

# 15. Chapter 380, Environmental Water and Land Management

This chapter establishes state land and water management policies to guide and coordinate local development decisions in order to adequately plan for Florida's future growth and development.

Response: Selection and design of the dredged material management area have been coordinated with state agencies and local governments.

# 16. Chapter 388, Arthropod Control

This chapter provides for a comprehensive approach for abatement or suppression of mosquitos and other pest arthropods within the state.

Response: Mosquito control measures are described in the site management plan. Physical control through minimization of standing water inside the dike is the primary method of control. If necessary,

short-term spraying would be coordinated through the local mosquito control authority.

#### 17. Chapter 403, Environmental Control

This chapter authorizes the regulation of pollution of the air and waters of the state by the FDER.

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Response: Air quality impacts due to the operation of construction equipment will be minor. Burning permits would be obtained if the cleared vegetation is burned. Therefore, the work would comply with the intent of this chapter.

#### 18. Chapter 582, Soil and Water Conservation

This chapter establishes policy for the conservation of the state soil and water through the Department of Agriculture. Land use policies will be evaluated in terms of their tendency to cause or contribute to soil erosion or to conserve, develop, and utilize soil and water resources both on site or in adjoining properties affected by the work. Particular attention will be given to work on or near agricultural lands.

Response: The project would include a perimeter ditch around the dike to control runoff from the exterior face of the dike, perimeter road, and portions of the buffer. Existing vegetation would be preserved in the buffer between the facility and adjacent land.

# APPENDIX VII

ARCHEOLOGICAL AND HISTORICAL DOCUMENTATION

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December 6, 1994

Mr. Steve Amiss
Department of State
Division of Historical Resources
R. A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399-0250

Dear Mr. Amiss:

Taylor Engineering, under contract with the Florida Inland Navigation District, is currently evaluating a property (designated DU-9) in St. Johns County for possible use as a dredged material management site. I have indicated the location of the site on the attached copy of the Palm Valley quadrangle map. Could you please advise me as to whether the Florida Master Site File contains any records of known archaeological, cultural, or historic resources on the site?

Thank you for your assistance. If you have any questions, please contact me at (904) 731-7040.

Sincerely,

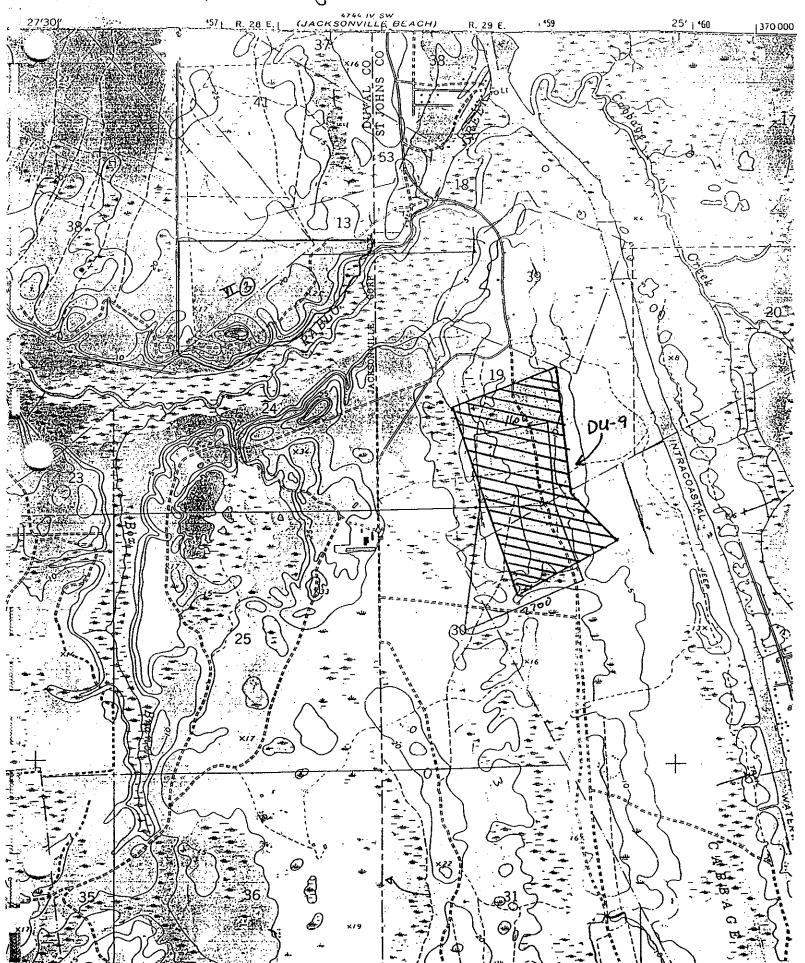
Steven J. Schropp, Ph.D.

Senior Environmental Scientist

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enclosure

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#### **MEMORANDUM**

TO:

File (Contract C-9402)

FROM:

Steve Schropp

DATE:

December 20, 1994

SUBJECT:

DU-9 Archaeological Review

Steve Amiss (Florida Department of State, Division of Historical Resources) replied by phone to my December 6, 1994 letter requesting a search of the Florida Master Site File for any recorded archaeological, cultural, or historical resources on DU-9. DU-9, as shown in the photocopy of the Palm Valley quadrangle map accompanying the letter, is situated on parts of Sections 19, 30, and 40, Township 3 South, Range 29 East. Mr. Amiss stated that a computer search of the Master Site File found no recorded sites in these sections.

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Planning Division Environmental Branch

Mr. George Percy Division of Historic Resources R. A. Gray Building 500 South Bronough Tallahassee, Florida 32399

Dear Mr. Percy:

The U.S. Army Corps of Engineers, Jacksonville District, is studying the environmental effects of disposal area construction at a site identified as Pablo Creek Alternative 2 (extended southerly), St. Johns County, Florida. The 180 acre property is located in Township 3 South, Range 29 East, sections 19, 30, and 40. The parcel is west of the Intracoastal Waterway (IWW) and south of Pablo Creek. A location map is enclosed. This property is located near proposed disposal area DU-9, which was coordinated with your office in a December 1, 1994, letter.

The elevation of the central portion of the site is greater than 15 feet. The eastern and western sides slope into low wetland drainages on either side. Soil types include somewhat poorly drained Myakka fine sand and Zolfo fine sand, and very poorly drained Wesconnett fine sand. Vegetation on the property includes pastures, pine flatwoods, planted pine, and wetland communities. Reference enclosure 2, a land use map.

Activities associated with disposal area construction will include clearing of vegetation, construction of a dike and service road, excavation of a ditch around the perimeter of the dike, and pipeline access from the IWW. Material for dike construction will be excavated from the interior of the property. It is proposed that material removed from the Intracoastal Waterway during maintenance dredging will be placed on this property. Pipeline access will extend from the eastern side of the property to the IWW.

At this time, we request information on known cultural resources in the vicinity of this property and field investigations which have been conducted there. We also request your recommendations for further investigation of this proposed disposal area. If determined necessary, cultural resource investigations will be conducted and will be coordinated with your office.

and this co. . .

In compliance with the National Historic Preservation Act, as amended, we request a written response from your office within 30 calendar days.

Sincerely,

A. J. Salem Chief, Planning Division

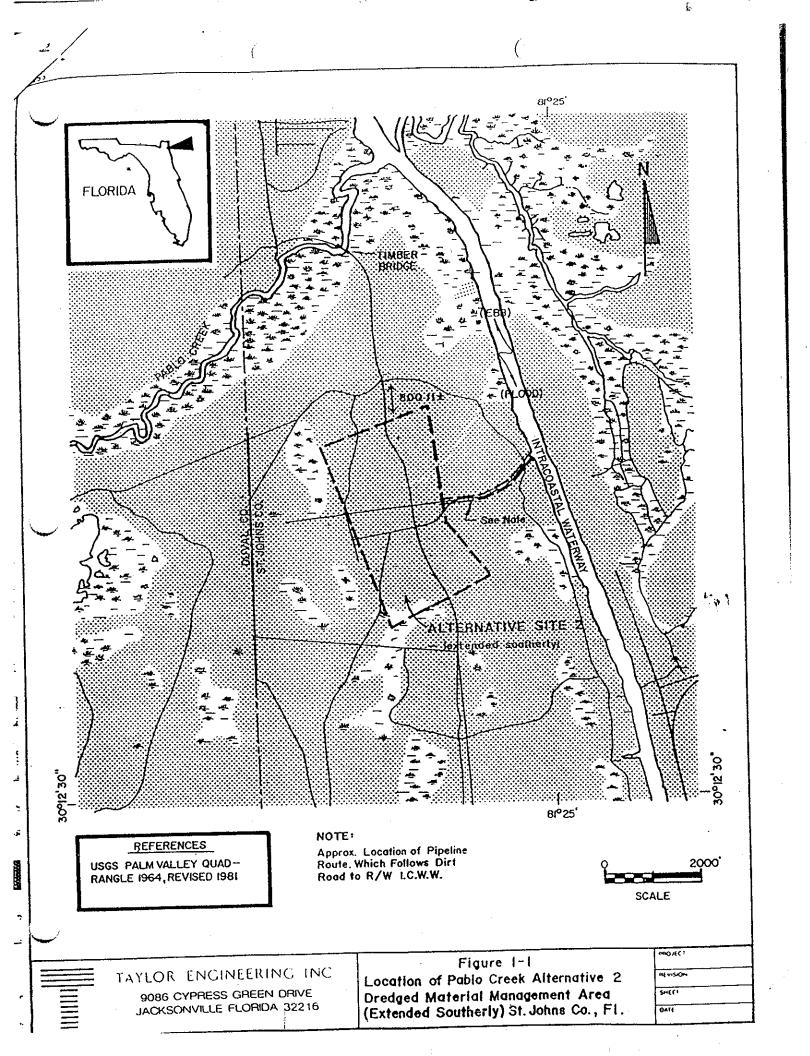
Enclosures

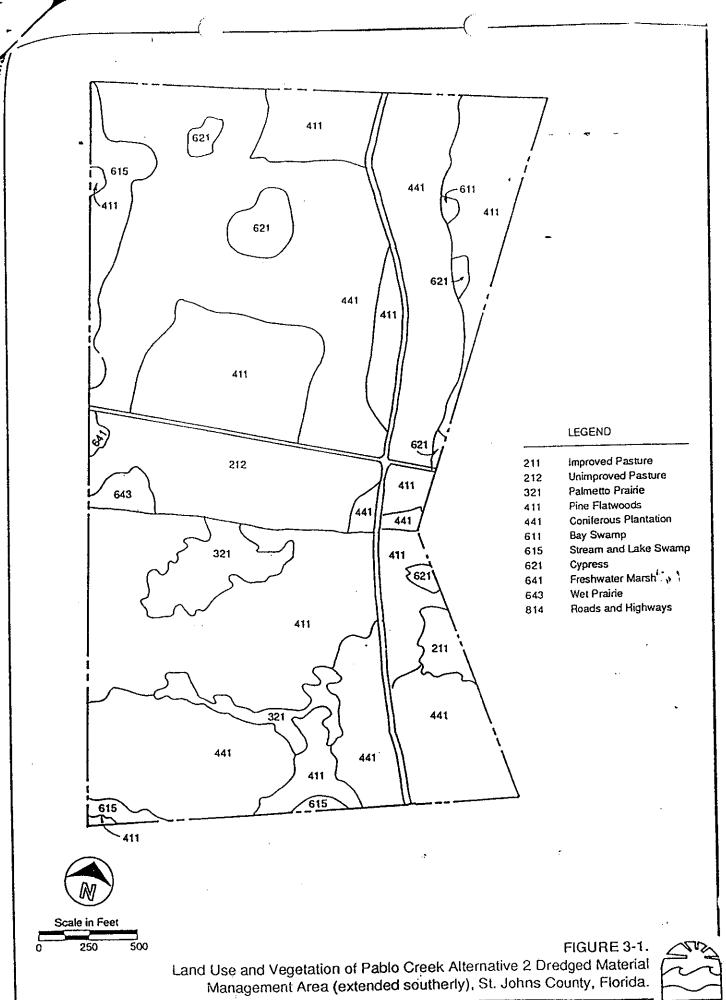
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Location of Visit/Conference:					
NAME OF PERSON(S) CONTACTED	ORGANIZATION (Office, dept., bureau,	TELEPHONE NO:			
OR IN CONTACT WITH YOU	SHPO, Compliance	904-487-2333			
Frank Keel	Review	•			
SUBJECT Pablo Creek, Alt	. 2, proposed dispo	osal area, St Johns Coun	ty, FI	.d	
SUMMARY 21 Feb 95 SHPO	letter did not reco	ommend any archeological	surve	ey. I	
requested an exp	lanation because th	ney had recommended surv	ey of	Pablo	
Creek, Duval Cou	inty.				
A county-wic	de survey was conduc	ted for St Johns County	& the	Alt. 2	
site was conside	ered low probability	v. Surveys have been co	nducte	ed east	
and west of the	Alt. 2 property wit	ch negative results. Fo	r thos	se reasons	
nd because of t	the distance from the	ne IWW & Pablo Creek, SH	PO's	office	
does not recomme	end archeological su	ırvey.			
Pablo Creek,	, Duval County, is	located closer to a wate	rway a	and sites	
have been ident:	ified in Duval Count	cy in the vicinity of th	e pro	perty.	
ACTION REQUIRED Prov	vide copy of corresp	oondence to CO-ON		•	
NAME OF PERSON DOCUMENTING OF	CONVERSATION	SIGNATURE	DATE		
ACTION TAKEN					
SIGNATURE		TITLE	DATE		

50271-101 \*U.S. GPO: 1989-241-175/90074
OPTIONAL FORM 271 (12-76)
DEPARTMENT OF DEFENSE

CONVERSATION RECORD

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### FLORIDA DEPARTMENT OF STATE Sandra B. Mortham Secretary of State

February 21, 1995

Mr. A. J. Salem, Chief
Planning Division, Environmental
Resources Branch
Jacksonville District Corps of
Engineers
P.O. Box 4970
Jacksonville, Florida 32232-0019

In Reply Refer To: Frank J. Keel Historic Sites Specialist (904) 487-2333 Project File No. 950486

RE: Cultural Resource Assessment Request Pablo Creek Alternative 2 Disposal Site St. Johns County, Florida

Dear Mr. Salem:

In accordance with the procedures contained in 36 C.F.R., Part 800 ("Protection of Historic Properties"), we have reviewed the referenced project(s) for possible impact to archaeological and historical sites or properties listed, or eligible for listing, in the National Register of Historic Places. The authority for this procedure is the National Historic Preservation Act of 1966 (Public Law 89-665), as amended.

A review of the Florida Site File indicates that no significant archaeological or historical sites are recorded for or likely to be present within the project area. Furthermore, because of the project location and/or nature it is unlikely that any such sites will be affected. Therefore, it is the opinion of this office that the proposed project will have no effect on historic properties listed, or eligible for listing, in the National Register of Historic Places.

If you have any questions concerning our comments, please do not hesitate to contact us. Your interest in protecting Florida's historic properties is appreciated.

Sincerely, Laura G. Kanmerer

George W. Percy, Director

Division of Historical Resources

and

State Historic Preservation Officer

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# APPENDIX VIII

COMPLIANCE WITH ENVIRONMENTAL LAWS AND REGULATIONS

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# COMPLIANCE WITH ENVIRONMENTAL REQUIREMENTS

- 1.0 National Environmental Policy Act of 1969, as amended. Environmental information on the project has been compiled and the Environmental Assessment is available for review by the public in compliance with Regulation 33 CFR Parts 335-338. These regulations govern the Operations and Maintenance of U.S. Army Corps of Engineers Civil Works Projects involving the Discharge of Dredged or Fill Material into Waters of the US or Ocean Waters. Public Notice PN-SPH-203 dated 16 August 1995 was issued soliciting comments from all interested parties (Appendix IV). Information and issues received from these responses are used in preparation of the environmental assessment. This public coordination and environmental impact assessment complies with the intent of NEPA. The process will fully comply with the Act once the Finding of No Significant Impact has been signed by the District Commander.
- 2.0 Endangered Species Act of 1973, as amended. A species list was requested of USFWS by letter dated 13 October 1994. Consultation was initiated with the US Fish and Wildlife Service by letter dated 19 June 1995 requesting concurrence in a No Effects determination for species covered under the Act. The USFWS responded by letter dated 18 July 1995 concurring in that determination.
- 3.0 Fish and Wildlife Coordination Act of 1958, as amended. The project has been coordinated with the USFWS during the public notice period. No response was received. However, during the Section 7 consultation the USFWS requested that the Corps provide a mitigation plan for wetlands lost in the project. The wetlands lost within this area are not significant and are approximately 6.5 acres in total. These areas are isolated and are less than 1 acre each. A mitigation plan is attached.
- 4.0. National Historic Preservation Act of 1966, as amended (PL 89-655). By letter dated 21 February 1995, the State Historic Preservation Office responded to a request for cultural resources assessment. The SHPO stated that a review of the Florida Site File indicates that no significant archeological or historical sites are recorded for or likely to be present in the project area. Because of the nature of the project it is unlikely that any such sites would be affected. Therefore in the opinion of the SHPO, there would be no effect on historic properties listed or eligible for listing on the National Register of Historic Places. Cultural resource investigations and coordination with the SHPO is in compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, the Archeological and Historic Preservation Act, and Executive Order 11593.

# 5.0. Clean Water Act of 1972, as amended.

Section 401. An application for water quality certification has been submitted for elimination of 3.3 acres of isloated wetlands. Mitigation of these sites is included in the package. Therefore, the phase II construction is in partial compliance with this Section. Full compliance will be achieved from issuance of the water quality certification. Phase I does not require any permits from the State and therefore, that work is in full compliance.

Section 402. A National Pollution Discharge Elimination permit has been issued by the Environmental Protection Agency for land clearing greater than 5 acres associated with the

construction of upland disposal areas by the US Army Corps of Engineers.

- 6.0 <u>Clean Air Act of 1972</u>, as amended. No air quality permits will be required for this project. Therefore, this Act would not be applicable.
- 7.0 Coastal Zone Management Act of 1972, as amended. The project has been evaluated in accordance with Section 307 of the Coastal Zone Management Act. It has been determined that the project would have no unacceptable impacts and would be consistent with the Florida Coastal Management Plan (Appendix III). This was concurred with by the Florida Coastal Management Program.
- 8.0 <u>Farmland Protection Policy Act of 1981</u>. The project was coordinated with the Soil Conservation Service (SCS) by letter dated 13 December 1995. The SCS responded by completing the Farmland Conversion Impact Rating Form AD-1006 concluding that no prime or unique farmland will be impacted by implementation of this project. This act is not applicable.
- 9.0 <u>Wild and Scenic River Act of 1968, as amended</u>. No designated Wild and Scenic river reaches will be affected by project related activities. This act is not applicable.
- 10.0 Marine Mammal Protection Act of 1972, as amended. No work would be conducted in the marine environment.
- 11.0 Federal Water Project Recreation Act, as amended. There is no recreational development proposed for this project. Therefore, this Act does not apply.
- 12.0 <u>Toxic Substances Control Act of 1976, (PL 94-469; U.S.C. 2601, et seq.</u> This law has been determined not to apply as there are no items regulated under this act being disposed of or affected by this project.

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- 13.0 E.O. 11990, Protection of Wetlands. No significant wetlands would be affected by this project. Therefore, this project is in compliance with the goals of this Executive Order.
- 14.0. <u>E.O. 11988</u>, Floodplain Management. There would be no impact on the floodplain or floodplain values and it would not encourage any development of the floodplain, therefore this project is in compliance with the goals of this Executive Order.
- 15. Marine Protection, Research and Sanctuaries Act of 1972 (33 USC 1401 et seq. This Act is not applicable.

# APPENDIX IX

WETLAND DELINEATION REPORT

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# Wetland Delineation Report

# Dredged Material Management Area DU-9

 $72.85 \pm \text{hectares}$  (180  $\pm \text{ acres}$ ) in Sections 19, 30, & 40, Township 3 South, Range 29 East St. Johns County, Florida

## DACW17-94-D-0019

Requisition No.: W32CS5-8040-1011

## Prepared for:

U.S. Army Corps of Engineers 400 West Bay Street Jacksonville, Florida 32232-0019

Prepared by:

Lotspeich and Associates, Inc. 422 W. Fairbanks Avenue, Suite 201 Winter Park, Florida 32789

July 1998
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# **EXHIBITS**

Exhibit I. Aerial Photograph Depicting Approximate Wetland Boundaries and Wetland Community Sampling Locations

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# WETLAND DELINEATION REPORT Dredged Material Management Area DU-9 St. Johns County, Florida

#### **EXECUTIVE SUMMARY**

A jurisdictional wetland delineation was conducted within the Dredged Material Management Area DU-9 site in St. Johns County, Florida in June 1998. The limits of U.S. Army Corps of Engineers' (Corps) jurisdiction included lake and stream swamp, bay swamp, herbaceous marsh, and wet prairie wetlands. Consultation with the Corps' Regulatory Branch and the St. Johns River Water Management District is recommended prior to commencement of construction activities to determine specific permitting requirements.

#### INTRODUCTION

At the request of the U.S. Army Corps of Engineers (Corps), a delineation of jurisdictional wetlands within the Dredged Material Management Area DU-9 site was conducted by Lotspeich and Associates, Inc. (L&A). The project area is located 0.5 mile west of the Intracoastal Waterway (ICWW) and 0.5 mile south of Pablo Creek in St. Johns County, Florida (Figures 1 & 2). The wetland delineation area was defined by the property boundaries of this 72.85 hectare (ha) (180 ± acre (ac)) site.

The Dredged Material Management Area DU-9 is part of a Federal project under responsibility of the Corps, whose objective is to develop a series of reusable sites for dredged material management to be used for long-term maintenance of the ICWW. The actions recommended and to be implemented by the Corps include construction of a containment cell, perimeter ditches, and access roads. This wetland delineation project is necessary for the Corps to identify the extent of wetlands impacted by the proposed action and to determine wetland mitigation requirements.

The scope of this investigation was limited to a survey for the presence of jurisdictional wetlands and delineation of these wetlands in accordance with the 1987 U.S. Army Corps of Engineers Delineation Manual. This report documents the findings from this investigation. The findings reflect conditions on-site at the time of the investigation and do not preclude the possibility that on-site conditions may change in the future. The opinions expressed are those of the writer and should not be viewed as binding upon any governmental agency.

#### **METHODS**

The study area was initially investigated through a review of published information (Appendix A). Field reviews were conducted to ground truth on-site vegetative communities and to delineate the landward extent of all jurisdictional wetlands occurring

within the DU-9 Dredged Material Management Area. Prior to initiating the field survey, aerial photographs were utilized to conduct initial wetland mapping. Information contained within the Final Draft of the Environmental Site Documentation for Proposed Dredged Material Management Areas in St. Johns County - DU-9 (Mosura-Bliss, 1992) was also reviewed in preparation for the wetland delineation.

The field investigation was conducted by representatives of L&A on 17 June 1998. The identified wetlands were delineated in accordance with the 1987 U.S. Army Corps of Engineers Delineation Manual. Data sheets were prepared for each wetland community and are included in this report as Appendix B. Jurisdictional determinations were made through evaluation of soil conditions, assessment of existing vegetation, and estimation of hydrology based on physical and biological indicators.

The identified wetlands were delineated using sequentially numbered wooden stakes marked with pink-and-black-striped flagging to mark the landward boundary of each area. Field notes were recorded to document each of these wetland areas.

## DELINEATION RESULTS/DISCUSSION

#### **Containment Basin Site**

The Dredged Material Management Area DU-9 site is contained within an undeveloped area approximately 0.5 mile west of the ICWW and 0.5 mile south of Pablo Creek. The site exhibits signs of alteration due to previous usage for cattle grazing.

Preliminary environmental investigations were conducted by Water and Air Research, Inc. (Mosura-Bliss, 1992) in the Summers of 1988, 1989, and 1992. Their report indicated that there were eleven (11) wetland areas including stream/lake swamp, bay swamp, freshwater marsh, and wet prairie.

During the site investigations conducted during June 1998, these wetlands were identified, reclassified, and delineated. The approximate wetland limits are depicted on Exhibit I. The wetlands are described as follows:

Wetland 1 is a small shrubby marsh on the western boundary of the site. The dominant canopy species is slash pine (*Pinus elliottii*), with a shrub layer composed of laurel oak (*Quercus laurifolia*) and wax myrtle (*Myrica cerifera*). The understory and ground cover consists of fire weed (*Erichtites hieraciifolia*), soft rush (*Juncus effusus*), netted chain fern (*Woodwardia areolata*), beak sedge (*Rhyncospora inundata*), umbrella pennywort (*Hydrocotyle umbellata*), and southern umbrella sedge (*Fuirena scirpoidea*).

No standing water was noted within the wetland, and the soils were not saturated above a depth of at least 16 inches during this investigation. From the surface to a depth of approximately 3 inches, the soils were described as black (5YR 2.5/1 based upon the Munsell Color chart) mucky fine sand, with reddish-brown (5YR 4/4) mottles. From 2

inches to a depth of 10 inches, the soils were described as dark gray (5YR 4/1), with pink (5YR 7/4) and reddish-brown (5YR 4/4) mottles. From 10 inches to at least 16 inches in depth, the soils were described as pinkish-gray (10YR 6/2) fine sand with reddish-brown mottles (5YR 4/4). The Soil Conservation Service (SCS) Soils Survey for St. Johns County lists the soil in this vicinity as Zolfo fine sand (Figure 3). The Soil Survey Report for St. Johns County provides a profile for a typical pedon of this soil type, but it does not match the profile described herein.

The wooden stakes used to delineate this wetland begin at the northwest extent of the wetland with the designation "L+A W1-1" and proceed in a clockwise fashion through stake "W1-9."

Wetland 2 is a wet prairie community located to the south and east of Wetland 1. The dominant canopy species is slash pine, with an understory of wax myrtle, saltbush (Baccharis halimifolia), and Chinese tallow (Sapium sebiferum). The ground cover consists of dotted smartweed (Polygonum punctatum), bog rush (Juncus elliottii), manyhead rush (J. polycephalus), Asian coinwort (Centella asiantica), and water hyssop (Bacopa caroliniana).

No standing water was noted within the wetland, and the soils were not saturated above a depth of at least 16 inches during this investigation. The soil type for this wetland is also mapped as Zolfo fine sand. The surface soils to a depth of approximately 6 inches were described as black (7.5YR 2.5/1) mucky fine sand with brown (7.5YR 4/4) and light brownish-gray (10YR 6/2) mottles. From 6 inches to at least 16 inches in depth, the soils were described as light brownish-gray (10YR 6/2) fine sand, with black (7.5YR 2.5/1) and brown (7.5YR 4/4) mottles. This lower layer had the appearance of chocolate chip cookie dough. This profile does not match the typical pedon for Zolfo fine sand, and may represent a hydric inclusion.

The stakes delineating this wetland begin with "W2-1" on the northwest side of the wetland and proceed counterclockwise to stake "W2-15."

Wetland 3 is a mixed wetland forested community associated with a small creek system in the southwest corner of the site. The dominant canopy species include pond cypress (Taxodium ascendens), red maple (Acer rubrum), and laurel oak. The understory is composed of dahoon holly (Ilex cassine), Chinese tallow, and cabbage palm (Sabal palmetto). The ground cover consists of lizard tail (Saururus cernuus), beak sedge, canna (Canna flaccida), and Indian sea-oats (Chasmanthium laxum).

The SCS Soils Survey characterizes this area as Riviera fine sand, frequently flooded. The surface soils to a depth of approximately 5 inches were described as black (10YR 2/1) mucky fine sand. From 5 inches to at least 16 inches in depth, the soils were described as light brownish-gray (10YR 6/2) fine sand with black (10YR 2/1) mottles. This profile does not match that provided for Riviera fine sand in the SCS survey. No

standing water was noted within the wetland, and the soils were not saturated above a depth of at least 16 inches during this investigation.

The stakes delineating this wetland begin with "W3-1" on the southeast side of the flowway and proceed counterclockwise to stake "W3-9."

Wetland 4 is a remnant forested wetland located along the southern border of the DU-9 site. The dominant canopy species include pond pine (*Pinus serotina*) and slash pine, with an understory of dahoon holly and swamp bay (*Persea palustris*). The ground cover consists of bushy broomsedge (*Andropogon glomeratus*), many-head rush, and soft rush.

No standing water was noted within the wetland, and the soils were not saturated above a depth of at least 16 inches during this investigation. The SCS Soils Survey maps this area as Riviera fine sand, frequently flooded. The soils were characterized during the delineation as a 4 inch thick surface layer of black (10YR 2/1) mucky fine sand, underlain by a layer at least 12 inches thick of light gray (10YR 7/1) fine sand with very dark grayish brown (10YR 3/2) mottles. This profile does not match that provided for Riviera fine sand in the SCS survey.

Stakes to delineate this wetland begin on the southwest side with "W4-1" and proceed in a clockwise fashion to stake "W4-6."

Wetland 5 is a small stand of cypress trees along the eastern boundary of the site. Wetland 5 is contiguous to an off-site wetland that occurs adjacent to the pipeline easement. The dominant canopy species include pond cypress, pond pine, slash pine, and swamp bay. The understory is composed of loblolly bay (Gordonia lasianthus) and swamp gum (Nyssa sylvatica). The herbaceous component is dominated by royal fern (Osmunda regalis), cinnamon fern (O. cinnamomea), creeping seedbox (Ludwigia repens), many-head rush, and netted chain fern.

No standing water was noted within the wetland, and the soils were saturated below a depth of 11 inches during this investigation. The SCS Soils Survey maps this area as Myakka fine sand. The soils were characterized during the delineation as a 1 inch surface layer of black (10YR 2/1) muck, underlain by approximately 10 inches of dark gray (10YR 4/1) fine sand with black mottles (10YR 2/1). This portion of the soil profile has the distinct appearance of depositional layering of material. Under this layer is a layer at least 5 inches thick of very dark grayish brown (10YR 3/2) fine sand. The upper portions of the profile agree with the typical pedon for Myakka fine sand.

The stakes delineating this wetland begin with "W5-1" on the southeast side of the wetland. The stakes proceed clockwise to stake "W5-9."

Wetland 6 is a small cypress dome along the eastern boundary of the site, south of Wetland 5. As with Wetland 5, Wetland 6 is contiguous to an off-site wetland. The dominant canopy species include pond cypress, pond pine, and slash pine. The

understory is composed of loblolly bay and wax myrtle. The herbaceous component is dominated by soft rush, maidencane (*Panicum hemitomon*), and prairie iris (*Iris hexagona*).

No standing water was noted within the wetland, and the soils were saturated below a depth of 5 inches during this investigation. The SCS Soils Survey maps this area as Riviera fine sand, depressional. The soils were characterized during the delineation as a 6 inch surface layer of black (10YR 2/1) mucky fine sand, underlain by approximately 10 inches of gray (10YR 5/1) fine sand with very dark grayish brown (10YR 3/2) mottles. The profile described somewhat agrees with the typical pedon, but includes the mucky fine sand cap, which is not discussed in the SCS survey.

The stakes delineating this wetland begin with "W6-1" on the northeast side of the wetland. The stakes proceed counterclockwise to stake "W6-9."

Wetland 7 is a mixed wetland forested community associated with a drainageway in the northwestern portion of the site. The dominant canopy species include pond cypress, swamp gum, slash pine, and loblolly bay. The understory is composed of wax myrtle. The ground cover consists of netted chain fern, Virginia chain fern (Woodwardia virginica), pickerelweed (Pontederia cordata), dotted smartweed, and royal fern.

No standing water was noted within the wetland, and the soils were not saturated above a depth of at least 16 inches during this investigation. The SCS Soils Survey characterizes this area as Wesconnett fine sand, frequently flooded. The surface soils to a depth of approximately 2 inches were described as black (10YR 2/1) muck. From 2 inches to at least 16 inches in depth, the soils were described as black (10YR 2/1) mucky fine sand. This profile does not match that provided for Wesconnett fine sand in the SCS survey.

The stakes delineating this wetland begin with "W7-1" on the southwest side of the community and proceed clockwise to stake "W7-34."

Wetland 8 is a cypress dome in the north-central portion of the site. The dominant canopy species include pond cypress and slash pine. The understory is composed of swamp bay and wax myrtle. The herbaceous component is dominated by netted chain fern, Virginia chain fern, bog buttons (*Eriocaulon decangulare*), broomsedge (*Andropogon virginica* var. glauca).

No standing water was noted within the wetland, and the soils were saturated below a depth of 11 inches during this investigation. The SCS Soils Survey characterizes this area as Wesconnett fine sand, frequently flooded. The soils were characterized during the delineation as at least a 16 inch deep layer of black (10YR 2/1) mucky fine sand. The profile described above does not agree with the typical pedon.

The stakes delineating this wetland begin with "W8-1" on the northwest side of the wetland. The stakes proceed clockwise to stake "W8-18."

Wetland 9 is a small cypress dome in the north-central portion of the site, located north and west of Wetland 8. The dominant canopy species include pond cypress and slash pine, with an understory of swamp bay and gallberry holly (*Ilex glabra*). The herbaceous component is dominated by redroot (*Lachnanthes caroliniana*), southern umbrella sedge, sand cordgrass (*Spartina bakeri*), netted chain fern, Virginia chain fern, bog buttons (*Eriocaulon decangulare*), and broomsedge.

No standing water was noted within the wetland, and the soils were saturated below a depth of 11 inches during this investigation. The SCS Soils Survey characterizes this area as Wesconnett fine sand, frequently flooded. The soils were characterized during the delineation as a surface layer 2 inches deep of black (10YR 2/1) muck. Below this surface muck is a layer of black (10YR 2/1) mucky fine sand at least 14 inches thick. The profile described above does not agree with the typical pedon.

The stakes delineating this wetland begin with "W9-1" on the southeast side of the wetland. The stakes proceed clockwise to stake "W9-11."

Wetland 10 is a small stand of cypress in the northeast portion of the site, located between the pine plantation and the natural pine flatwoods communities. The dominant canopy species include pond cypress, loblolly bay, and slash pine, with an understory of dahoon holly and wax myrtle. The herbaceous component is dominated by redroot, netted chain fern, and Virginia chain fern.

No standing water was noted within the wetland, and the soils were not saturated above a depth of at least 16 inches during this investigation. The SCS Soils Survey characterizes this area as Myakka fine sand. The soils were characterized during the delineation as a surface layer 8 inches thick of black (10YR 2/1) mucky fine sand. Below this surface layer is a layer of gray (10YR 6/1) fine sand with very dark grayish brown (10YR 3/2) mottles. The profile described above does not agree with the typical pedon.

The stakes delineating this wetland begin with "W10-1" on the south side of the wetland. The stakes proceed clockwise to stake "W10-11."

Wetland 11 is a small bay swamp in the northeast portion of the site, located north of Wetland 10. The dominant canopy species include swamp bay, loblolly bay, and slash pine, with an understory of fetterbush (*Lyonia lucida*) and wax myrtle. The herbaceous component is almost entirely Virginia chain fern, with a ground cover of sphagnum moss (*Sphagnum* sp.).

No standing water was noted within the wetland, and the soils were not saturated above a depth of at least 16 inches during this investigation. The SCS Soils Survey characterizes this area as Myakka fine sand. The soils were characterized during the delineation as a surface layer 6 inches thick of black (10YR 2/1) mucky fine sand. Below this horizon is